

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

DANIEL DWIGHT MATNEY

PLAINTIFF

v.

Case No. 4:18-cv-04146

JAIL ADMINISTRATOR CHRIS WOLCOTT,
Sevier County Detention Center; JAILER
BARBARA FRANCO; JAILER JUSTYCE
BROWN; NURSE SHARON FLOURNOY; JAILER
TERRY HERNANDEZ; JAILER ISAAC
ALVARADO; JAILER GILBERT ELIZONDO;
and JAILER MEGAN LINDSEY

DEFENDANTS

ORDER

This is a civil rights action filed by Plaintiff, Daniel Dwight Matney, pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff's Motion to Dismiss. (ECF No. 13). Defendants have filed a response indicating they have no objection to voluntary dismissal of this case. (ECF No. 14). The Court finds this matter ripe for consideration.

Federal Rule of Civil Procedure 41(a)(2) allows a plaintiff to dismiss an action, by court order on "terms that the Court considers proper." Fed. R. Civ. P. 41(a)(2). Dismissal under Rule 41(a)(2) is without prejudice unless the court specifically orders to the contrary. *Id.* Accordingly, the Court finds that Plaintiff's Complaint (ECF No. 1) should be and hereby is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 26th day of February, 2019.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge